

**To:** Braun, Richard[Braun.Richard@epa.gov]  
**Cc:** Gleason, Michael[Gleason.Michael@epa.gov]  
**From:** Hess, Stephen  
**Sent:** Mon 8/17/2015 9:19:16 PM  
**Subject:** RE: EPS81302, Gold King Mine Release

Thanks Richard.

Steve.

Stephen Hess

U.S. EPA, Office of General Counsel

1200 Pennsylvania Avenue, N.W.

Washington, D.C.

Mail Code: 2399A

Phone: 202-564-5461

**From:** Braun, Richard  
**Sent:** Monday, August 17, 2015 5:14 PM  
**To:** Hess, Stephen  
**Cc:** Gleason, Michael  
**Subject:** FW: EPS81302, Gold King Mine Release

Stephen,

Please see trailing email. I will forward the attorney's contact info. when it arrives.

I reviewed the contract and do not see any language that indemnifies the contractor.

Of course, we do require the contractor to maintain insurance and FYI I have enclosed a copy of their insurance certificate.

Richard Braun

EPA Region 8

Contracting Officer

303-312-6380

[braun.richard@epa.gov](mailto:braun.richard@epa.gov)

**From:** Marilyn Smith [<mailto:m.smith@erllc.com>]

**Sent:** Monday, August 17, 2015 1:38 PM

**To:** Braun, Richard

**Subject:** RE: EPS81302, Gold King Mine Release

Hi Richard:

I have notified ER's VP of Administration, Mark Ruck who will coordinate with ER's attorney.

Thank you,

Marilyn

**From:** Braun, Richard [<mailto:Braun.Richard@epa.gov>]

**Sent:** Monday, August 17, 2015 1:39 PM

**To:** Marilyn Smith <[m.smith@erllc.com](mailto:m.smith@erllc.com)>

**Subject:** EPS81302, Gold King Mine Release

Hi Marilyn,

Today I received a call from the EPA attorney who is handling claims against the government related to the release. He mentioned that in situations like this, it's not unusual for claims to be filed against the contract. He was wondering if you had received any claim requests, lawsuits, threats of lawsuits, etc. The attorney's name is Stephen Hess and he would like to open a dialogue with your attorney so that both parties can be informed. Please provide your attorney's contact information. Here is Stephen's info:

Stephen Hess

U.S. EPA, Office of General Counsel

1200 Pennsylvania Avenue, N.W.

Washington, D.C.

Mail Code: 2399A

Phone: 202-564-5461

[Hess.stephen@epa.gov](mailto:Hess.stephen@epa.gov)

Thank you

Richard Braun

EPA Region 8

Contracting Officer

303-312-6380

[braun.richard@epa.gov](mailto:braun.richard@epa.gov)

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